

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey W. Chambers Examiner: Brian E. Pellegrino
Serial No.: 10/812,250 Group Art Unit: 3738
Filed: March 29, 2004 Docket No.: C364.105.101
Due Date: December 19, 2008
Title: STENT POSITIONING SYSTEM AND METHOD

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 19, 2008, rejecting claims 28-45. The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

(a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

one month (\$6500) two months (\$245.00) three months (\$555.00) four months (\$865.00) The extension fee has already been filed in this application.

(b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of **\$270.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

Any inquiry regarding this Communication should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004. In addition, all correspondence should continue to be directed to the following address:

Notice of Appeal

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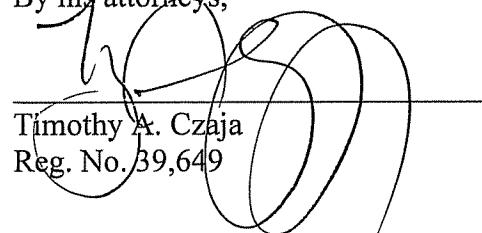
Title: STENT POSITIONING SYSTEM AND METHOD

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Respectfully submitted,

Jeffrey W. Chambers,

By his attorneys,


Timothy A. Czaja
Reg. No. 39,649

Date: December 19, 2003

TAC:jms